STATEMENT OF OBJECTS AND REASONS

The Mysore Police Act, 1963 (Mysore Act 4 of 1964), was brought into force on April 2, 1965. In the light of the experience gained in the working of the Act, it has been considered necessary to amend some of its provisions. It is sufficient if the power of the Commissioner and the District Magistrate to make orders under the several clauses of section 31 (1) other than clauses (d), (v), (w), (x), (y) and (z) is subject to the control of the Government. Accordingly an amendment to sub-section (2) of that section has been proposed. It is further necessary to (i) omit the words "up to such distance" in clause (2) of section 2; (ii) remove the seeming conflict between sections 3 and 145; (iii) enlarge the scope of section 56; (iv) impose a statutory duty on the Police to prevent breaches of the public peace; (v) provide for the manner of disposal of the property taken charge of under section 75; (vi) provide for empowering Police Officers by general order in writing to conduct searches under section 81 and omit the words 'on oath' in section 81 and (vii) provide for the extension of the several clauses of section 92 to local areas either permanently or for specified period and provide for summary disposal of cases instituted under that section. Amendments to the relevant provisions have, therefore, been proposed.

With the coming into force of the Code of Criminal Procedure (Mysore Amendment) Act, 1965 it is no longer necessary to have the definitions of the expressions 'District Magistrate' and 'Sub-Divisional Magistrate'. Sub section (6) of section 2 is, therefore proposed to be deleted.

The Bill also seeks to make certain other incidental and minor changes

D. DEVARAJ. URS,

TE. HANUMANTHAPPA,
Secretary

THE MYSORE PUBLIC SERVICE COMMISSION (CONDUCT OF BUSINESS AND ADDITIONAL FUNCTIONS) (AMENDMENT) BILL, 1973.

(L. A. Bill No. 19 of 73)

A Bill further to amend the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act. 1959.

WHEREAS it is expedient further to amend the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 Mysore Act, 20 of 1959;

BE it enacted by the Mysore State Legislature in the Twenty-fourth Year of the Republic of India as follows:—

1. SHORT TITLE AND COMMENCEMENT.—(1) This Act may called the Mysore Public Service Commission (Conduct of Business and Additional Functions) (Amendment) Act, 1973.

(2) It shall come into force at once.

2. AMENDMENT OF SECTION 16—Section 16 of the Mysore Public Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959) shall be remembered as sub-section (1) thereof and after the said sub section as so renumbered the following sub-section shall be inserted, namely :—

"(2) Where persons in the services of any local authority, or other body corporate constituted by law, are required to pass under the conditions of recruitment or service applicable to them any of the service examinations notified by Government under sub-sect on (1) the Government may, in consultation with the Commission by general order declare that the said persons shall be eligible to appear for the said service examinations and thereupon the said persons may appear for the service examinations, subject to such conditions as may be prescribed.

EXPLANATION—For purposes of this sub-section, the expression "local authority" shall have the meaning assigned to it in sub-section (3) of section 17."

STATEMENT OF OBJECTS AND REASONS

Under section 16 of the Act, the Public Service Commission is required to hold service examinations only for Government servants. Some of the local authorities and statutory bodies have prescribed the same examinations as those prescribed for Government servants for their employees and they have requested that their employees may also be made eligible to appear for the service examinations conducted by the Public Service Commission. It is, therefore, proposed to amend section 16.

Hence the Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Sub-section (2) of section 16 proposed to be substituted by clause 2 of the Bill empowers the State Government to prescribe by rules the conditions subject to which the persons in the services of any local authority or other body corporate constituted by law may appear for the service examinations which are required to be passed under the conditions of recruitment or service applicable to them.

The proposed delegation of legislative power is of a normal character.

D. DEVARAJ URS.
TE. HANUMANTHAPPA,
Secretary